

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Amend the Laws Governing Legislative Political Action Committees**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 21-A MRSA §1006** is enacted to read:

### **§ 1006. Participation in political action committees by legislative candidates**

**1. Establishing a political action committee prohibited.** A legislative candidate may not establish a political action committee for which the candidate is a treasurer or principal officer or for which the candidate is primarily responsible for fund-raising or decision making. This prohibition applies between April 1st immediately preceding a general election through:

- A. The date on which the candidate withdraws from a race;
- B. The date of the primary election or general election for a candidate who loses either election; or
- C. January 1st immediately preceding the next general election for a candidate who wins the general election.

This prohibition also applies to a legislative candidate in a special election, except that the prohibition begins on the date of the candidate's nomination. This subsection does not prohibit a legislative candidate, including a legislative candidate who wins a general or special election, from engaging in fund-raising or decision making for a party caucus political action committee, a ballot question committee or a political action committee formed for the purpose of promoting or opposing a ballot question. This prohibition applies to a legislative candidate regardless of the date on which the political action committee was established.

**Sec. 2. 21-A MRSA §1125, sub-§6-F**, as enacted by PL 2015, c. 116, §1 and affected by §2, is amended to read:

**6-F. Gubernatorial candidate participation in political action committees.** A participating gubernatorial candidate or a certified gubernatorial candidate may not establish a political action committee for which the gubernatorial candidate is a treasurer or principal officer or for which the gubernatorial candidate is primarily responsible for fund-raising or decision making. This prohibition applies between April 1st immediately preceding a general election through:

- A. The date on which the gubernatorial candidate withdraws from a race;
- B. The date of the primary election or general election for a gubernatorial candidate who loses either election; or

C. January 1st immediately preceding the next general election for a gubernatorial candidate who wins the general election.

This prohibition also applies to a participating gubernatorial candidate or certified gubernatorial candidate in a special election, except that the prohibition begins on the date of the candidate's nomination. This subsection does not prohibit a participating gubernatorial candidate or certified gubernatorial candidate, including a certified gubernatorial candidate who wins a general or special election, from engaging in fund-raising or decision making for a party caucus political action committee, a ballot question committee or a political action committee formed for the purpose of promoting or opposing a ballot question. This prohibition applies to a participating gubernatorial candidate or certified gubernatorial candidate regardless of the date on which the political action committee was established.

### **SUMMARY**

This bill prohibits a legislative candidate from establishing political action committees for which the candidate is a treasurer or principal officer or for which the candidate is primarily responsible for fund-raising or decision making. The bill also makes a change to a provision under the Maine Clean Election Act, which includes the same prohibition, to clarify that the prohibition in that Act applies only to participating gubernatorial candidates and certified gubernatorial candidates.